

- 2 -

5. [Twice Amended] A method as claimed in claim including the step of independently controlling the movement of each of said [plurality] cutting means so as to cut said material.

6. [Thrice Amended] A method as claimed in claim 5 including the step of selectively individually activating said [plurality of] cutting means having cutting wheels for cutting through said material in a selective manner, while said material is in rolling contact on said cylindrical surface during rotation of said cylindrical surface.

15. [Amended] A method of cutting a vinyl pool liner from a continuous web of vinyl to produce a pool liner comprising:

(a) unrolling said web from a roll of vinyl unto a rotating cylindrical cutting surface;

(b) cutting through said web with at least two independently moveable cutting means while said web is supported by said rotating cylindrical cutting surface during rotation of said cylindrical cutting surface so as to provide segments of said pool liner[.];

(c) unloading said segments of said pool liner;

(d) securing said segments of said pool liner together so as to produce said pool liner.

21. [Amended] A method as claimed in claim 1 wherein said cutting means is disposed on rail means, said rail means disposed substantially parallel to said axis of rotation [is moved transversely of said material advance].

- 3 -

23. [Amended] A method as claimed in claim 22 wherein said cutting means moves [along said axis of rotation as said cylindrical cutting surface rotates about said axis of rotation] along said rail means so as to cut said material.

24. [Amended] A method as claimed in claim 23 wherein said cutting means comprises cutting wheel means controlled by computer means for moving said cutting wheel means across said material [further including the step of securing said pieces together so as to produce a pool liner].

25. [Amended] A method of cutting [pattern] pieces for a selected pattern from a continuous roll of material comprising the steps of:

- (a) unrolling said material from said roll;
- (b) placing said material onto a cylindrical cutting surface rotating about an axis of rotation;
- (c) producing a vacuum internally of said cylindrical surface for communicating with said material;
- (d) cutting said material by displacing castored cutting means substantially axially across said surface[.];
- (e) controlling said cutting means by computer means so as to cut said pieces of a selected pattern.

**ADD THE FOLLOWING NEW CLAIMS:**

31. A method as claimed in claim 1 wherein said cutting means are supported on

- 4 -

rail means which are disposed substantially parallel to an axis of rotation defined by said rotating cylindrical cutting surface.

32. A method as claimed in claim 25 wherein said castored cutting means pivotally swing about an axis.

33. A method as claimed in claim 1 wherein said cylindrical cutting surface rotates about an axis of rotation and said at least two cutting means are disposed outside and around said cylindrical cutting surface whereby each said cutting means axially traverses said cylindrical cutting surface to permit said cuts generated by said cutting means to intersect.

34. A method as claimed in claim 21 including at least two rail means spaced from and circumferentially disposed about said cutting surface to permit said cuts generated by said cutting means to intersect.

Kindly note that the claims have been amended so as to focus on:

1. A method of cutting pattern pieces from a continuous roll of material with at least two cutting means.
2. Said cutting means are disposed on rail means, said rail means disposed generally parallel to said axis of rotation.
3. Said cutting means moves along said rail means so as to cut said material.
4. The cutting means comprises cutting wheel means controlled by computer means for moving said cutting wheel means across said material.
5. Cutting said material by displacing castored cutting means substantially axially across said surface.

- 5 -

6. Controlling said castored cutting means by computer means so as to cut said pi ces of a selected pattern.
7. Permitting the cuts generated by the cutting means to be intersected.

**35 U.S.C. § 112**

Examiner objected to claims 21 and 27 as being indefinite.

In particular, Examiner stated that in claim 21, line 2, the recitation "material advance" lacks antecedent basis. In this regard kindly note that claims 21 and 27 have been amended so as to refer to said "material".

**35 U.S. C. § 102**

Examiner stated that claims 1 and 21-24 were rejected as being anticipated by Schmidt.

In particular Examiner stated that Schmidt discloses the invention as claimed. In this regard, Agent for Applicant respectfully states that Schmidt does not teach:

1. A method of cutting pattern pieces from a continuous roll of material with at least two cutting means.
2. Said cutting means are disposed on rail means, said rail means disposed generally parallel to said axis of rotation.
3. Said cutting means moves along said rail means so as to cut said material.
4. The cutting means comprises cutting wheel means controlled by computer means for moving said cutting wheel means across said material.

- 6 -

5. Cutting said material by displacing castored cutting means substantially axially across said surface.
6. Controlling said castored cutting means by computer means so as to cut said pieces of a selected pattern.
7. Permitting the cuts generated by the cutting means to intersect.

In particular Schmidt teaches stationary cutting means at 21 and 20 which are not separate from said cylindrical surface but rather are integral with said cylindrical surface.

**35 U.S.C. § 103**

Furthermore Examiner rejected the claims as being unpatentable over Schmidt in view of Seidl and further in view of Fara as well as Ozeki.

In this regard kindly note that none of the prior art cited teaches:

1. A method of cutting pattern pieces from a continuous roll of material with at least two cutting means.
2. Said cutting means are disposed on rail means, said rail means disposed generally parallel to said axis of rotation.
3. Said cutting means moves along said rail means so as to cut said material.
4. The cutting means comprises cutting wheel means controlled by computer means for moving said cutting wheel means across said material.
5. Cutting said material by displacing castored cutting means substantially axially across said surface.

- 7 -

6. Controlling said castored cutting means by computer means so as to cut said pieces of a selected pattern.

7. Permitting the cuts generated by the cutting means to intersect.

Furthermore Agent for Applicant respectfully states that Schmidt illustrates cutting a reproducible pattern which is much like utilizing a cookie cutter fixedly secured to the outer surface of a cylinder, whereas Applicant teaches controlling the cutting means (which are spaced from the cylinder) or cutting wheels by computer means so as to cut a selected pattern. Applicant on the other teaches the cutting of selected patterns such as for example:

...Once the system described herein is energized, the web of material 12 can be pulled over the top circumferential surface of the drum 20 and the various cutting wheels activated and deactivated by the computer means so as to cut the vinyl material 12 to the desired pattern as shown for example in Figure 2 (page 10, lines 23-26)

curved cuts such as shown for example in panel B may be made whereby the computerized means energizes the motor 84 in an appropriate manner so as to present a curved cut B. In other words all of the cutting wheels 80 are activated at the same time but only as desired to make the appropriate cuts (see page 11, lines 14-16).

Please note that cutting wheels were referred to in claim 6.

#### **DEPOSIT ACCOUNT**

Agent for Applicant authorizes the deduction of the following fee from deposit account 11-0687:

\$55.00

one month extension of time fee

- 8 -

\$ 9.00

one claim over 20 (small entity)

**CONCLUSIONS**

Agent for Applicant respectfully states that the application is now in condition for immediate allowance and respectfully solicits same.

Yours faithfully

  
Agent for Applicant

Eugene J.A. Gierczak  
(Registration NO. 31,690)  
**KEYSER MASON BALL**  
Barristers & Solicitors  
201 City Centre Drive, Suite 701  
Mississauga, Ontario Canada L5B 2T4  
Telephone No. (905) 276-0403  
Telecopier No. (905) 276-2298  
\*d

File: # H:gsaouge-1\ndusevolcuting\us\2nd response